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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,069	07/16/2003	William F. Sauber	DC-05242	1256
33438 7590 04/03/2007 HAMILTON & TERRILE, LLP P.O. BOX 203518 AUSTIN, TX 78720			EXAMINER CHEN, ALAN S	
			ART UNIT 2182	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			04/03/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/621,069	<b>Applicant(s)</b> SAUBER, WILLIAM F.	
	<b>Examiner</b> Alan S. Chen	<b>Art Unit</b> 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 January 2007.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. There appears to be some confusion as to the set of claims under examination. Applicant submits two sets of claims, one on 10/20/2003 (*which the previous office action was based*) and another preceding it on 07/16/2003. Apparently the former set of claims belongs to another application (*App. No. 10/386,743*), however this set of claims is not clearly labeled. The only indicia of this appears to be in the Specification submitted on 10/20/2003 with the handwritten application number on the top right-hand corner.

Prior art citations in the IDS pertaining to US Pat. Applications do not need to be included the instant application itself. It is recommended that if Applicant wishes to do so, then **clearly** label **each and every** one of the documents related to the prior art application.

2. It is assumed the application under examination deals with the documents submitted on 07/16/2003. On this basis, the previous office action is hereby withdrawn in its entirety and replaced with the current office action.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1,3,5,6 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat. Pub. No. 2005/0144468 to Northcutt et al. (*Northcutt*).

5. Per claim 1, Northcutt discloses an information handling system (*Fig. 5*) comprising: information processing components configured to output audio and visual information (*Fig. 5 shows system having various components used for both audio and video*) to a PCI Express interface (*Fig. 10 indicates system having PCI Express bus*); a graphics card (*Fig. 5, element 20 and Fig. 10*) having a PCI Express interface (*Fig. 10, AGP/PCI Express bus clearly shown*) in communication with the audio and visual information output by the information processing components (*Fig. 10, the graphics card clearly interfaces both audio and video*) and an audiovisual appliance interface (*Fig. 10, elements 52 shows interface to appliance, element 2*) operable to output audiovisual information to an audiovisual appliance (*Figs. 2 and 5, element 2 are TV and audio equipment*); a graphics controller (*Fig. 10, element 82*) coupled to the graphics card (*controller is on the graphics card*) and operable to process visual information of the information processing components for output to the audiovisual appliance interface (*graphics accelerator processes visuals faster and for output to TV*); audio processing components coupled to the graphics card (*Fig. 10, elements 8, audio codec resides on the card*) and operable to process audio information of the information processing components for output to the audiovisual appliance interface; a PCI Express switch coupled to the graphics card (*Fig. 10, element 7; Paragraph 148, expressly states that "one input of switch 71 receives audio data...A second input of switch 71 receives video*

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*data"), the PCI Express switch disposed between the PCI Express interface, the graphics controller and the audio processing components (Fig. 10, element 71, the switch is attached between PCI Express bus, graphics controller and audio codec), and operable to switch visual information from the PCI Express interface to the graphics controller (graphics controller getting visual data from PCI Express Interface is switched to audio by the switch, element 71) PCI Express and audio information from the PCI Express interface to the audio processing components (audio codec getting audio data is switched to video by the switch, element 71).*

6. Per claim 3, Northcutt discloses claim 1, further disclosing the audio processing components comprise an audio controller operable to accept the audio information from the PCI Express switch and output to the audiovisual appliance interface (*Fig. 10, element 84*).

7. Per claims 5,6 and 8, Northcutt discloses claims 1, Northcutt further disclosing use of HDMI (*Fig. 10, element 52, HDMI*), HDTV (*Paragraph 8*) and IEEE 1394 (*Paragraph 217*) as interface components.

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 2 is rejected under 35 USC 103(a) as being unpatentable over Northcutt in view of US Pat. Pub. No. 2006/0259642 to Du et al. (*Du*).

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Northcutt discloses claim 1. Northcutt further discloses a CODEC (*Fig. 10, element 84*) operable to accept audio information (*Audio In*) and output to the audiovisual appliance interface (*output to multiplexer switch and subsequently HDMI, element 52*);

Northcutt does not disclose expressly an AC97 interface in accepting audio information.

Du discloses AC97 interface being a well-known and standard interface in accepting audio information for a CODEC (*Paragraph 48 and Fig. 3, element 42*).

Northcutt and Du are analogous art because they are from the same field of endeavor in receiving audio information via a codec.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use an AC97 controller interface.

The suggestion/motivation for doing so would have been using standards in the audio interface industry to maximize interoperability<sup>and</sup> leverage manufacturing efficiencies of a widely used part. ASC

10. Claims 4 and 7 are rejected under 35 USC 103(a) as being unpatentable over Northcutt.

Northcutt discloses claim 1. Northcutt further discloses the audiovisual interface capable of being a variety of different standards not limited to just HDMI (*Paragraph 95*).

Northcutt does not disclose expressly use of the EVC or coaxial cable output.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to utilize EVC and coaxial cable outputs.

The suggestion/motivation for doing so would have been utilize standards well-known and widely used in the marketplace to allow the individual user to have simpler setup of a audiovisual system as opposed to complicated setups given by esoteric output standards.

11. Claims 9-21 are substantially similar to claims 1-8 and are therefore rejected accordingly. Note, Northcutt discloses both having a single connector for audio and video (*Fig. 4, HDMI is goes over a single connector*) as well as separating out the audio and video over different connectors (*Fig. 5*).

#### ***Conclusion***


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan S. Chen whose telephone number is 571-272-4143. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim N. Huynh can be reached on 571-272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ASC  
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